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Attorneys for Plaintiff Chanel, Inc.

THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHANEL, INC., a New York corporation,

Plaintiff,

v.

SUSAN LYNNE PACINI a/k/a SUSAN L.
PACINI d/b/a PLANET TAN d/b/A MASTER
MARKETEERS, INC.,

Defendants.

Case No. C-07-5946-CRB

**DECLARATION OF MICHAEL D.
LISI IN SUPPORT OF THE
OPPOSITION TO SET ASIDE
DEFAULT**

Date: May 30, 2008

Time: 10:00 am

Courtroom: 8, 19th Floor

Honorable Charles R. Breyer

I, Michael D. Lisi, declare:

1. I am a partner in the law firm of Krieg, Keller, Sloan, Reilley & Roman LLP, counsel of record for plaintiffs Chanel, Inc. ("Chanel"). I am licensed to practice in the State of California and in this Judicial District. I have personal knowledge of the facts set forth in this declaration and if necessary, I could and would competently testify to those facts.

2. On December 24, 2007, Chanel properly served Defendant Susan Pacini with the Summons and Complaint.

1 3. On February 7, 2008, Chanel filed the Certificate of Service with this Court. On
2 February 21, 2008, Chanel filed a Request for Notice of Default with this Court. On February
3 26, 2008, I received notice that this Court entered the Notice of the Entry of Default.

4 4. On or about January 3, 2008, Randall Knox, an attorney purporting to represent
5 Ms. Pacini, left me a voicemail message. In his message, Mr. Knox relayed that he represented
6 Ms. Pacini and indicated he would like to speak to me about the case. On or about January 4,
7 2008, I returned Mr. Knox's call. Although I did not reach him directly, I left a message for him
8 identifying myself and asking him to contact me. I never heard back from Mr. Knox in response
9 to my message.

10 5. After the deadline for a response to the complaint had passed, my office prepared
11 a Request for Entry of Default as to Pacini. Out of professional courtesy, on or about February
12 19, 2008, I called Mr. Knox again to inform him that the date for a responsive pleading had
13 passed. Mr. Knox left me a voice message the same day indicating that he was in court until
14 later that afternoon. On February 20, 2008, I again tried to call Mr. Knox. In my voicemail
15 message, I informed him that Chanel planned to file a Request for an Entry of Default against
16 Ms. Pacini. In that message I also indicated that I would be out of the office for a few days, and
17 provided Mr. Knox with the contact information for one of my associates, Anjali Kurani.
18 Neither I nor Ms. Kurani ever heard back from Mr. Knox. Mr. Knox and I have never discussed
19 this case, nor did he ever tell me that he did not represent Ms. Pacini.

20 6. Attached hereto as Exhibit A is a true and correct copy of the unpublished
21 decision in *SEC v. Lewis*, 2004 U.S. Dist LEXIS 29597 (C.D. Cal. September 27, 2004), that is
22 cited in Pacini's Motion.

1 I declare under penalty of perjury under the laws of the State of California and the United
2 States that the foregoing is true and correct.

3 Executed this 9th day of May, 2008 in San Francisco, California.

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5 /s/
6 MICHAEL D. LISI
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DECLARATION OF MICHAEL D. LISI IN SUPPORT OF PLAINTIFF'S OPPOSITION TO
DEFENDANT PACINI'S MOTION TO SET ASIDE DEFAULT

Case No.: C-07-5946-CRB